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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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MINUTE SUMMARY

Board of Directors Meeting

June 2, 2010

Start Time: 9:30 a.m.

LOCATION

**San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA**

Board of Directors

President

Paul Eaton, Mayor
City of Montclair

Vice-President

Brad Mitselfelt, Supervisor
County of San Bernardino

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Vice Mayor
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor Pro Tem
City of Loma Linda

Jeff Williams, Mayor
City of Needles

Alan Wapner, Mayor Pro Tem
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Mayor Pro Tem
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

June 2, 2010

9:30 a.m.

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Called to Order - 9:30 a.m. by Mayor Paul Eaton

I Pledge of Allegiance

II. Attendance

**Charley Glasper, Adelanto
Julie McIntyre, Barstow
Bill Jahn, Big Bear Lake
Dennis Yates, Chino
Ed Graham, Chino Hills
Kelly Chastain, Colton
Mark Nuaimi, Fontana
Bea Cortes, Grand Terrace
Mike Leonard, Hesperia
Larry McCallon, Highland
Rhodes 'Dusty' Rigsby, Loma Linda
Paul Eaton, Montclair
Jeff Williams, Needles
Alan Wapner, Ontario
Diane Williams, Rancho Cucamonga**

**Patricia Gilbreath, Redlands
Ed Scott, Rialto
Patrick Morris, San Bernardino
Jim Harris, Twentynine Palms
John Pomierski, Upland
**Ryan McEachron, Victorville
Richard Riddell, Yucaipa
William Neeb, Yucca Valley
*Neil Derry, County of San Bernardino
Brad Mitzelfelt, County of San Bernardino
Gary Ovitt, County of San Bernardino
*Josie Gonzales, County of San Bernardino
Raymond Wolfe, Caltrans District 8
Jean-Rene Basle, SANBAG Counsel
Deborah Robinson Barmack, SANBAG**

***Departed after Agenda Item 24**

****Departed during Agenda Item 16**

- III. **Announcements:** Picture slides of the Ramona Avenue Union Pacific Grade Separation celebration in the City of Montclair were shown before the start of the SANBAG Board meeting. Board Members that attended the event were Paul Eaton, John Pomierski and Garry Ovitt. All SANBAG policy committee meetings will meet on their regularly scheduled dates and times. A SANBAG Workshop on Alternative Project Financing will be held June 10th immediately following the SANBAG Major Projects Committee. The South Coast Air Quality Management District Public Town Hall Meeting scheduled for June 15th was postponed. The California Air Resources Board announced a meeting at the City of San Bernardino on June 9th at 6:00 p.m. to gather public input for further reducing diesel emissions at the BNSF rail yard. The following SANBAG employees were recognized: Jennifer Franco achieved five years of service with SANBAG, Beverly Hughes was awarded her ten year service pin and Ryan Graham was selected for an open position in the Transit and Commuter Rail Group.
- IV. **Agenda Notices/Modifications:** On Agenda Item 12 staff requested that recommendation #2 be removed since a budget amendment would not be required during Fiscal Year 2009/2010. It was noted for the record that Mayor Pro Tem Wapner abstained on Agenda Item 12 at the Major Projects meeting. Staff requested Revised Agenda Item 20 be removed from the Consent Calendar for discussion. Staff requested Agenda Item 26 be withdrawn from consideration and deferred to the June Administrative Committee meeting.

1. **Possible Conflict of Interest Issues for the Board Meeting of June 2, 2010** Pg. 16

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

***Note the following abstentions:**

Supervisor Josie Gonzales abstained on Agenda Item 12 stating a disqualifying campaign contribution in excess of \$250.

Supervisor Brad Mitzelfelt abstained on Agenda Items 12 and 13 stating a disqualifying campaign contribution in excess of \$250.

Supervisor Gary Ovitt abstained on Agenda Items 10 and 12 stating a disqualifying campaign contribution in excess of \$250.

Mayor Patrick Morris abstained on Agenda Item 12 stating a disqualifying campaign contribution in excess of \$250.

Mayor Pro Tem Alan Wapner abstained on Agenda Item 12 stating a disqualifying campaign contribution in excess of \$250.

Notes/Actions:

***See Notes**

Notes/Actions:

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 30.

Administrative Matters

- | | | |
|--|--------|---|
| 2. Board of Directors Attendance Roster | Pg. 19 | Information Only |
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 | | |
| 3. March 2010 and April 2010 Procurement Report
Receive Monthly Procurement Report. William Stawarski

This item was unanimously received by the Administrative Committee on May 12, 2010. | Pg. 23 | Information Only |
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| 4. Third Quarter Budget to Actual Report for Period Ending March 31, 2010

Receive the Third Quarter Budget to Actual Report for Period Ending March 31, 2010. William Stawarski

This item was unanimously received by the Administrative Committee on May 12, 2010. | Pg. 25 | Received & Filed |
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| 5. SANBAG Classification and Compensation Study
Approve the following recommendations made in relation to the SANBAG Classification and Compensation policies:

1) Technical title changes to 16 SANBAG positions as outlined in Attachment A.

2) Adopt a new Open Range Salary Plan as shown on the amended Policy 10107 Appendix A–Attachment B.

3) Adopt a new SANBAG Classification Plan and salary range assignment as shown on the attached amended Policy 10110 Appendix A–Attachment C.

4) Adopt amendments to Policy 10107 – Compensation Administration to incorporate the changes to the salary range and classification system–Attachment D.

5) Adopt amendments to Policy 10110 – Employment Status and Classification to incorporate the changes to the salary range and classification system–Attachment E. Duane Baker

This item was reviewed by the Administrative Committee on May 12, 2010 and recommended for approval (9-1-0). Supervisor Josie Gonzales opposed. | Pg. 27 | Approved Consent
26-1-0
Opposed:
Ovitt |

Consent Calendar Continued....**Administrative Matters (Cont.)****6. Arbitrage Disbursement for Sales Tax Revenue Bond 2001 B**

Pg. 51

Approved Consent

Approve arbitrage rebate of \$647,465.39 to the Internal Revenue Service. **William Stawarski**

This item was reviewed by the Administrative Committee on May 12, 2010 and unanimously recommended for approval.

Air Quality/Traveler Services**7. Agreement with the Riverside County Transportation Commission (RCTC) for the Implementation of San Bernardino County Trip Reduction and 511 Programs**

Pg. 53

Approved Consent

Approve Amendment No. 1 to Agreement No. 09-190 with RCTC, to extend the contract to a two-year period through June 30, 2011, and increase the contract amount by \$1,608,333 for a new total not-to-exceed amount of \$3,508,833, as outlined in the Financial Impact Section below. **Marla Modell**

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on May 20, 2010. SANBAG Counsel has approved this contract as to form.

Project Development**8. Amendment No. 2 to Cooperative Agreement C08139 (Caltrans Agreement 08-1383) with the California Department of Transportation (Caltrans) for the Preliminary Engineering Phase of the I-15/I-215 Devore Interchange Improvements Project**

Pg. 62

Approved Consent

Approve Amendment No. 2 to Cooperative Agreement C08139 (Caltrans Agreement 08-1383) with Caltrans for execution of the Preliminary Engineering Phase of the I-215 Devore Interchange Improvements Project from SANBAG to Caltrans District 8 increasing the SANBAG contribution from \$195,000 to \$6,000,000.00. **Garry Cohoe**

This item was reviewed and unanimously recommend for approval by the Major Projects Committee on April 15, 2010. SANBAG Counsel has reviewed and approved this agreement as to form.

Consent Calendar Continued....**Project Development (Cont.)**

- | | | | |
|-----|--|--------|---|
| 9. | Amendment No. 1 to Cooperative Agreement No. C06058 (Caltrans Agreement 08-1306) with the California Department of Transportation (Caltrans) for the Right of Way Work for Interstate 215 (I-215) Segment 2 | Pg. 87 | Approved Consent |
| | <p>Approve Amendment No. 1 to Cooperative Agreement No. C06058 (Caltrans Agreement 08-1306) with Caltrans for Right of Way Work on I-215 Segment 2 in the City of San Bernardino extending the duration of the contract to December 31, 2013. Garry Cohoe</p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved this agreement as to form.</p> | | |
| 10. | Materials Testing for Muscoy Underpass Retrofit Project | Pg. 92 | Approved Consent
26-0-1
ABSTAINED:
Ovitt |
| | <p>Approve Amendment No. 3 to Contract No. C03015 with RMA Group to extend the contract end date to August 31, 2010, for materials testing for the Muscoy Underpass Retrofit Project. Garry Cohoe</p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the contract as to form.</p> | | |
| 11. | Professional Services Contract for the Project Approval and Environmental Document (PA/ED) phase of the Colton Crossing Grade Separation Project | Pg. 97 | Approved Consent |
| | <p>Approve Amendment No. 1 to Contract C08011 with HDR, Inc. extending the time of performance to June 30, 2011. Garry Cohoe</p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the contract as to form.</p> | | |

Consent Calendar Continued....**Project Development (Cont.)****12. San Bernardino Valley Coordinated Traffic Signal System Tiers 3 and 4** Pg. 102

1. Approve Contract No. C10202 with Transportation Energy Solutions, Inc. for Construction Management Services for the San Bernardino Valley Coordinated Traffic Signal System Tier 3 and 4 project in the amount of \$478,861 with a contingency amount of \$48,000 for a total not-to-exceed contract amount of \$526,681.

~~2. Approve budget amendment to increase the FY 2009/2010 budget for TN 70110000 in the amount of \$80,000 for a revised total Fiscal Year Project budget in the amount of \$164,621 as identified in the Financial Impact Section.~~

3. Allow Construction Contract No. C10198 for construction of the San Bernardino Valley Coordinated Traffic Signal System Tier 3 and 4 project to proceed directly to the Board of Directors for approval to Award the Contract without being considered by the Major Projects Committee. **Garry Cohoe**

This item was reviewed and recommended for approval (14-0-2; Abstained: Gonzales and Morris), by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the agreements as to form.

Mayor Morris inadvertently pulled this item from the Consent Calendar to declare a conflict of interest. This item followed Agenda Item 29. SANBAG staff requested that recommendation #2 be withdrawn. It was determined that a budget amendment would not be required in Fiscal Year 2009/2010. It was also noted that Alan Wapner abstained on this item at the Major Projects Committee meeting.

13. Hunts Lane/UPRR Grade Separation Project Utility Relocations Pg. 127

Approve Amendment No. 1 to letter agreement No. C10154 with Southern California Edison in an amount of \$542,000, increasing the total contract amount from \$495,000 to \$1,037,000 for costs of relocating existing Southern California Edison electrical facilities required for construction of the Hunts Lane/UPRR Grade Separation Project. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject agreement as to form.

**MOVED:
Nuaimi****SECOND:
Jahn****20-0-5****ABSTAINED:
Gonzales
Mitzelfelt
Ovitt
Morris
Wapner****Approved Consent
26-0-1****ABSTAINED:
Mitzelfelt**

Consent Calendar Continued....**Project Development (Cont.)**

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|--|---------|--|
| 14. Railroad Grade Separation Project at Vineyard Avenue in the City of Ontario | Pg. 135 | Approved Consent |
| <p>Approve Cooperative Agreement No. C10094 with the City of Ontario for Plans, Specifications, and Estimates (PS&E) Services for a Rail-Highway Grade Separation Project at Vineyard Avenue in an amount limiting SANBAG's contribution to \$2,436,000. Garry Cohoe</p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the draft agreement as to form.</p> | | |
| 15. Railroad Grade Separation Project at S. Milliken Avenue in the City of Ontario | Pg. 144 | Approved Consent |
| <p>Approve Cooperative Agreement No. C10093 with the City of Ontario for Plans, Specifications, and Estimates (PS&E) Services for a Rail-Highway Grade Separation Project at S. Milliken Avenue in an amount limiting SANBAG's contribution to \$3,356,000. Garry Cohoe</p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject agreement as to form.</p> | | |
| 16. State Route 210 (SR-210) Landscape Construction Projects (Segments 8 thru 11) | Pg. 153 | MOVED:
Nuaimi
SECOND:
Eaton
23-1-0
OPPOSED:
Yates |
| <p>Approve Professional Services Contract No. C10183 with Hernandez, Kroone and Associates for Construction Management Services for SR-210 Landscape Construction Projects (Segments 8 thru 11) in an amount not to exceed \$3,576,641. Garry Cohoe</p> <p>This item was reviewed and recommended for approval (15-1-0; Opposed: Yates), by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject professional services agreement as to form.</p> <p>Mayor Yates removed this item from the Consent Calendar to urge staff to consider alternative landscaping methods for SR 210. Staff responded that they are working with Caltrans to find maintenance and water friendly solutions. This item followed Agenda Item 12.</p> | | |

Consent Calendar Continued....**Project Development (Cont.)**

17. **Cooperative Agreement No. C10123 with Caltrans for the Interstate 10 (I-10)/Tippecanoe Avenue Interchange Right-of-Way** Pg. 186 **Approved Consent**
1. Approve Amendment No. 1 to Cooperative Agreement No. C10123 with Caltrans for the I-10/Tippecanoe Avenue Interchange Right-of-Way Capital and Support costs; and
2. Increase Caltrans authority to reimburse itself from State and Federal Funds by \$4,910,000 from \$22,075,000 to \$26,985,000. **Garry Cohoe**
- This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject amendment as to form.
18. **Funding Cooperative Agreement for Right-Of-Way and Construction for the Interstate 10 (I-10)/Tippecanoe Avenue Interchange** Pg. 194 **Approved Consent**
- Approve Right-of-Way and Construction Cooperative Agreement No. R10200 with the Inland Valley Development Agency, the City of Loma Linda and the City of San Bernardino to receive reimbursement from these agencies in the amount of \$12,744,000 for the I-10/Tippecanoe Avenue Interchange Project. **Garry Cohoe**
- This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject amendment as to form.

Transit/Rail

19. **Award of Contract C10209 – Transit and Specialized Transportation Planning Services** Pg. 207 **Approved Consent**
- Award Contract C10209 to AMMA Transit Planning for Transit and Specialized Transportation, Planning Services in a not-to-exceed amount of \$300,000 for a three year contract. **Mitch Alderman**
- This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on May 20, 2010. This item has also been reviewed by SANBAG Counsel.

Consent Calendar Continued....**Transit/Rail (Cont.)**

20. **Right-of-Way Services Agreement with Omnitrans for the E Street sbX BRT Project** Pg. 215

Authorize staff to develop a cost neutral cooperative agreement between SANBAG and Omnitrans to perform the right-of-way acquisition for the E Street sbX bus rapid transit (BRT).

Mitch Alderman

This item was reviewed and unanimously recommended for approval by the Commuter Rail & Transit Committee on May 20, 2010.

This item was revised to reflect a new recommendation and at staff's request pulled from the Consent Calendar for discussion. This item followed Agenda Item 16.

Recommendation:

1. **Authorize the Administrative Committee to approve the execution of a cost neutral cooperative agreement between SANBAG and Omnitrans to perform right-of-way acquisition for the E Street sbX bus rapid transit (BRT); Contract No. 10263.**
2. **Authorize the Administrative Committee to approve the execution of a contract amendment for HDR Engineering, Inc., Contract No. C10079, for right-of-way services.**

21. **Financial Commitment to the Southern California Regional Rail Authority (SCRRA) for Fiscal Year 2010/2011** Pg. 218

1. Approve the Fiscal Year 2010/2011 operating assistance financial contribution to the SCRRA in the amount of \$9,565,800, with \$2,000,000 from Measure I 2010-2040 Metrolink/Rail Service Fund and the \$7,565,800 Valley Local Transportation Funds (LTF) Apportionment as identified in the Financial Impact Section.

2. Approve the Fiscal Year 2010/2011 capital assistance financial contribution to the SCRRA in the amount of \$4,950,306 of which \$3,960,244 will be provided from Federal Transit Administration (FTA) Section 5309 Rail Modernization funds and \$990,061 from the Measure I 2010-2040 Metrolink/Rail Service Fund as identified in the Financial Impact Section. **Mitch Alderman**

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on May 20, 2010.

MOVED:
Ovitt
SECOND:
Yates
24-0-0

Approved Consent

DISCUSSION ITEMS

Administrative

22. Election of Officers for 2010/2011

Pg. 232

***See Notes**

Conduct election for President and Vice President of the SANBAG Board of Directors for 2010/2011. **Duane Baker**

The date of this election was on the May Board of Directors agenda as a discussion item. This item has not been reviewed by any SANBAG policy committee. This item is consistent with agency bylaws and past practice.

***Motion by Supervisor Derry to nominate Brad Mitzelfelt as President. Second by Supervisor Ovitt. There being no other declaration of candidacy the nominations were closed. Brad Mitzelfelt was unanimously elected SANBAG President.**

Motion by Mayor Yates to nominate Bea Cortes for Vice President. Second by Council Member Diane Williams.

Motion by Mayor Pro Tem Jahn to nominate Larry McCallon for Vice President.

With two nominations on the table for Vice President there was a motion and a second to proceed with a show of hands.

The vote was 17 – 6 in favor of Council Member Bea Cortes. With a majority of the votes Council Member Bea Cortes was elected SANBAG Vice President.

23. Inland Empire Annual Survey

Pg. 236

Received & Filed

Receive report on results of the 2010 Inland Empire Annual Survey and provide direction to SANBAG staff, if required. **Jane Dreher**

This item has not had prior policy committee review.

24. Update on California-Nevada Interstate Maglev Project

Pg. 238

Information Only

Receive presentation from M. Neil Cummings, President of American Magline Group on the status of the California-Nevada Interstate Maglev Project. **Duane Baker**

This item has not received previous policy committee review.

Discussion Items Continued....**Administrative (Cont.)****25. SANBAG 2010/2011 Proposed Budget**

Pg. 239

MOVED:**Yates****SECOND:****Cortes****25-0-0**

1. Conduct the Public Hearing on the Proposed 2010/2011 SANBAG Budget.

2. Adopt the SANBAG Fiscal Year 2010/2011 Budget with the following revisions:

A. Revise Estimated Fiscal Year 2010/2011 Revenues (page 31 of the budget document) Grants and Other Revenue Category as follows:

i. Add Proposition 1B Traffic Light Synchronization Funds in the amount of \$2,000,000

ii. Add Department of Energy Funds in the amount of \$7,291,195

iii. Add California Department of Energy Funds in the amount of \$6,971,967

iv. Increase Local Funds/Reimbursements in the amount of \$4,890,000 for a new total of \$22,125,025.

v. Decrease Congestion Mitigation and Air Quality Funds in the amount of \$1,620,000 for a new total of \$26,582,899

vi. Decrease Other Revenues in the amount of \$34,658 for a new total of \$8,101,570

vii. Decrease Congressional Authorization (Federal Demonstration Funds) in the amount of \$5,254,018

B. Revised Estimated Revenues (page 32 of the budget document) and increase Measure I revenue by \$3,000,000 from \$105,000,000 to 108,000,000

C. Revise total revenue for Budget as of 02/03/10 to \$321,166,854 on page 32 of the budget document

D. Revise Task No. 37711000, Commuter Rail Operating Expense, to increase the task amount by \$515,300 from \$9,275,700 to \$9,791,000 for contributions/other agencies. (See Agenda Item 21)

E. Revise Task No. 70111000, Valley Signal Coordination Program, to reflect the availability of \$2 million in Proposition 1B Traffic Light Synchronization Program (TLSP) funds, thereby reducing Congestion Mitigation/Air Quality funding from \$4,120,000 to \$2,500,000 and Measure I Valley Traffic Management and Environmental Enhancement funding from \$597,546 to \$217,546 for an unchanged total new budget of \$4,717,546; reflect an encumbrance of \$3,043,0451 for an actual/planned budget of \$7,760,997.

Continued Next Page

Discussion Items Continued.....

Administrative (Cont.)

Agenda Item 25: Adoption of the SANBAG Fiscal Year 2010/2011 Budget Continued

F. Revise Task No. 84211000, I-10 Tippecanoe Interchange to decrease the Federal Demonstration Funds of \$5,524,018 to \$0 and increase City of San Bernardino Funds by \$1,630,000; City of Loma Linda Funds by \$1,630,000; Inland Valley Development Funds by \$1,630,000; and Measure I Interchange Project Funds by \$364,018 with no change to the new budget of \$6,154,018.

(See Agenda Item 17 and 18)

G. Revise Task No. 8121100, Clean Fuels Implementation, to increase task in the amount of \$14,228,504 funded by \$7,256,537 Department of Energy Funds and \$6,971,967 California Energy Commission Funds for a total new budget of \$14,401,796.

H. Create new Task No. 883110000, SR 210/Pepper Avenue Interchange in the amount of \$1,432,484, funded by Measure I Valley Major Projects Funds by reducing Task No. 8201100, SR210 Final Design in the amount of \$1,432,484 for a new task total of \$221,157.

I. Create new Task No. 88411000, Laurel Street Grade Separation in the amount of \$1,909,181 funded by Measure I 2010-2040 Valley Major Streets Projects Funds. **William Stawarski**

This item was reviewed by the Administrative Committee on May 12, 2010 and unanimously recommended for approval.

President Eaton opened the public hearing for comments. No public comments were received and the hearing was closed.

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|--|----------------|-------------------------------|
| <p>26. County of San Bernardino Standard Contract to Provide Payroll Services and other requested accounting services</p> | <p>Pg. 245</p> | <p>No Action Taken</p> |
|--|----------------|-------------------------------|

Approve Contract C10257 with the County of San Bernardino to provide payroll services and other requested accounting services through June 30, 2011. The services provided to SANBAG are to be billed through the County-Wide Cost Allocation Plan (COWCAP). **William Stawarski**

This item has not had prior committee approval.

This item was withdrawn from consideration and deferred to the June Administrative Committee Meeting.

Discussion Items Continued....

Administrative (Cont.)

27. Process for the Formation of the Measure I Independent Taxpayers Oversight Committee (ITOC) Pg. 252

Approve the following recommendations in relation to the formation of the ITOC:

1) Form an ad-hoc subcommittee of the Administrative Committee to select the Measure I Independent Taxpayer Oversight Committee (ITOC). The Subcommittee would consist of five members as follows:

1. SANBAG Board President
2. SANBAG Board Vice President
3. Representative of the Mountain/Desert Subregion (Mike Leonard, Hesperia)
4. Representative of the East Valley Subregion (Patrick Morris, San Bernardino)
5. Representative of the West Valley Subregion (Dennis Yates, Chino)

2) Adopt the schedule shown on Attachment B for the selection process to insure that the ITOC is selected before the end of September 2010 as specified by Measure I. **Duane Baker**

This item was reviewed by the Administrative Committee on May 12, 2010 and unanimously recommended for approval.

**MOVED:
Jahn
SECOND:
Chastain
25-0-0**

Air Quality/Traveler Services

28. Execution of Agreements for the SANBAG Alternative Fuel Project Pg. 258

1. Authorize the SANBAG Plans and Programs Policy Committee (PPC) to approve Agreements with California Energy Commission (CEC), Ryder Truck Rental, Inc., and the Southern California Association of Governments (SCAG) as the Administrator of the Southern California Clean Cities Program, as well as an amendment to an existing agreement with the Department of Energy (DOE); and

2. Direct staff to report to the SANBAG Board any actions taken by the PPC. **Marla Modell**

This item had no prior Policy Committee review. This item was reviewed by SANBAG Legal Counsel.

**MOVED:
Nuaimi
SECOND:
McCallon
25-0-0**

Discussion Items Continued....

Project Development

29. **Construction Zone Enforcement (COZEEP) services for Freeway Construction Projects** Pg. 260

Approve Amendment No. 1 to C09085 with the California Highway Patrol to extend the period of performance for providing Construction Zone Enhanced Enforcement Program (COZEEP) services for major freeway projects through June 30, 2011. **Garry Cohoe**

This item was reviewed and recommended for approval (14-2-0; Opposed: Derry and Graham), by the Major Projects Committee on May 13, 2010. SANBAG Counsel has reviewed and approved the subject amendment as to form.

**MOVED:
McIntyre
SECOND:
Cortes
25-0-0**

Other Matters

30. **Consent Calendar Items Pulled for Discussion**
Agenda Items 12, 16, and 20

Comments from Board Members

Supervisor Mitzelfelt thanked everyone for the opportunity to serve as SANBAG President. He indicated he would like to fine tune the reauthorization challenges; design build/public private partnerships; and discuss concerns with Board members and staff.

Council Member McCallon congratulated and offered his support to the new officers: Brad Mitzelfelt and Bea Cortes.

Mayor Eaton thanked everyone for their cooperation during his term as President.

Public Comment

NONE

ADJOURNMENT AT 11:00 A.M.

Additional Information

Agency Reports/Committee Memberships
Commuter Rail Report
Mayor Pro Tem Patricia Gilbreath

Pg.264

	<i>Notes/Actions:</i>
South Coast Air Quality Management Report Mayor Dennis Yates	Pg. 267
Mobile Source Air Pollution Reduction Review Committee (MSRC) Council Member Gwenn Norton-Perry	Pg. 270
SCAG Committees	Pg. 272
SCAG Regional Council	
SCAG Policy Committees	
Community, Economic and Human Development	
Energy and Environment	
Transportation and Communications	
SANBAG Policy Committees	Pg. 273
Acronym List	Pg. 276

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008